

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE )  
LITIGATION )

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MDL NO. 1456  
CIVIL ACTION NO. 01-12257-PBS

THIS DOCUMENT RELATES TO )  
ALL ACTIONS )

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Hon. Patti B. Saris

**MOTION FOR LEAVE TO FILE UNDER SEAL**

AstraZeneca Pharmaceuticals LP, by its attorneys, hereby moves this Court for leave to file under seal the Declaration of Lucy Fowler in Opposition to Plaintiffs' Motion for Partial Summary Judgment and attached exhibits, and AstraZeneca Pharmaceuticals LP's Counter Statement to Plaintiffs' Local Rule 56.1 Statement in Support of Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants.

Pursuant to the Protective Order entered by this Court on December 13, 2002 (the "MDL Protective Order"), the parties in the above captioned cases have designated many documents and other information produced in these cases as either "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." The Declaration of Lucy Fowler in Opposition to Plaintiffs' Motion for Partial Summary Judgment and attached exhibits, and AstraZeneca Pharmaceuticals LP's Counter Statement to Plaintiffs' Local Rule 56.1 Statement in Support of Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants incorporates—either directly or indirectly—information that has been designated "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." Pursuant to paragraph 15 of the MDL Protective Order, any document or

pleading containing quotes from or otherwise referencing such information shall be filed under seal.

WHEREFORE, AstraZeneca Pharmaceuticals LP respectfully requests that this Court grant it leave to file the Declaration of Lucy Fowler in Opposition to Plaintiffs' Motion for Partial Summary Judgment and attached exhibits, and AstraZeneca Pharmaceuticals LP's Counter Statement to Plaintiffs' Local Rule 56.1 Statement in Support of Plaintiffs' Motion for Partial Summary Judgment Against All Track 1 Defendants under seal.

Dated: Boston, Massachusetts  
April 6, 2006

Respectfully Submitted,

By: /s/ Lucy Fowler

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on April 7, 2006, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Lucy Fowler  
Lucy Fowler